

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO, WESTERN DIVISION**

FEDERAL TRADE COMMISSION, and	)	
STATE OF OHIO	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
PROMEDICA HEALTH SYSTEM, INC.	)	
	)	
Defendant.	)	
	)	

Civ. No.3:11-CV-00047-DAK

**DEFENDANT PROMEDICA HEALTH SYSTEM, INC.’S AMENDED MOTION TO  
PERMIT CERTAIN OF ITS EMPLOYEES, EXPERTS AND CONSULTANTS TO  
CARRY ELECTRONIC DEVICES INTO THE COURTROOM**

Defendant, ProMedica Health System, Inc. (“ProMedica”), brings this Motion for leave of the Court to permit certain of ProMedica’s employees, experts and consultants to bring electronic devices into the courtroom during the two day preliminary injunction hearing scheduled in this matter on February 10 and 11, 2011.

ProMedica previously filed a motion on February 2, 2011 to permit certain of its employees, experts and consultants to carry electronic devices into the courtroom for this hearing. (Dkt. 73.) The Court granted that motion on February 4, 2011. (Dkt. 74.) However, ProMedica inadvertently omitted three electronic devices that its presentation consultant, TrialGraphix, will need to bring into the courtroom for the preliminary injunction hearing: (1) an additional flat panel monitor; (2) an additional six-way distribution amplifier; and (3) a two-way switching device, two-way distribution amplifier. These devices are a necessary part of ProMedica’s presentation since they allow TrialGraphix to turn off any monitors, projectors or screens that may be viewed by individuals located in the courtroom who are otherwise not entitled to see confidential, third-party information that may be presented to the court pursuant to

the Stipulated Interim Protective Order (Dkt. 16), the Order Granting Defendant's Motion to Modify Stipulated Interim Protective Order (Dkt. 33), and the Order Granting Plaintiffs' Unopposed Motion to Modify Stipulated Interim Protective Order (Dkt. 66). Moreover, Michael Greer, and not Rich Merisier, from TrialGraphix will be attending the hearing on ProMedica's behalf and will be responsible for the electronic devices brought into the courtroom by TrialGraphix.

ProMedica respectfully requests that the Court amend its prior order and grant permission for the following individuals to carry the electronic devices listed below into the courtroom. These individuals will adhere by all rules and regulations of the Southern District of Florida and will refrain from emailing, text messaging, twittering, typing and using cellular phones inside the Southern District of Florida's courtrooms.

<b>Name</b>	<b>Organization</b>	<b>Electronic Devices</b>
Randy Oostra	ProMedica Health System	Apple iPad HTC Amagio cellular phone
Larry Peterson	ProMedica Health System	Blackberry
Jamie Black	ProMedica Health System	Blackberry
Susan Manning	Compass Lexecon	Blackberry Laptop
Margaret Guerin-Calvert	Compass Lexecon	Blackberry Laptop
Phil Mantyh	Compass Lexecon	Blackberry Laptop
Michael Greer	Trial Graphix	(1) High Resolution Projector (1) Large Projection Screen (1) Digital Visual Presenter (6) Flat Panel Monitors

Name	Organization	Electronic Devices
		(1) Four-Way Switching Device (1) Two-Way Switching Device, Two-Way Distribution Amplifier (2) Six-Way Distribution Amplifiers (1) Audio System (2) Laptops (2) Power cords (2) Power strips (1) USB Drive (1) External Hard Drive (1) Blackberry

WHEREFORE, ProMedica respectfully requests that the Court grant its motion and permit certain individuals to bring electronic devices into the Southern District of Florida's courtrooms.

Dated: February 8, 2011

Respectfully submitted,

PROMEDICA HEALTH SYSTEM, INC

/s/ Amy J. Carletti

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 8, 2011, a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

/s/ Amy J. Carletti